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**Cambridge, MA 02139-4242**  
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**FAX**



<b>To</b>	MISSING PARTS
<b>Company</b>	USPTO
<b>FAX</b>	(703) 746-4060
<b>From</b>	Nandakumar Govindaswamy
<b>Date</b>	July 22, 2004
<b>Subject</b>	Application No. 10/800,022 Attorney Docket No. VPI/03-103 US
<b>Total Pages</b>	15

#### Message or Comment

In response to the Notice to File Missing Parts of Nonprovisional Application dated June 1, 2004 attached are a Transmittal Letter for Response to the Notice to File Missing Parts of Nonprovisional Application (2 pages, In duplicate); a Fee Transmittal (1 page, In duplicate); a copy of the Notice to File Missing Parts of Nonprovisional Application (2 pages); and executed Declaration document (3 pages) relating to the above-identified application.

#### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence, and any documents referred to as attached hereto, is/are being transmitted to the United States Patent and Trademark Office, Facsimile Number: (703) 746-4060 on this 22<sup>nd</sup> day of July 22, 2004.

Karen DiRocco

If any problems occur with this fax transmittal, please call (617) 444-6619 immediately.

FAX Number (617) 444-6483 Legal Department

#### CONFIDENTIALITY NOTICE

The information and the documents transmitted by this telex are privileged and contain confidential information intended only for the person (s) names above. Any other distribution, copying or disclosure is strictly prohibited. If you have received this telex in error, please notify us immediately by telephone and return the original to us without making a copy.

VPI/03-103 USIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frederick E. Van Goor, et al.  
Serial No.: 10/800,022  
Filing Date: March 12, 2004  
Group Art Unit: 1614  
Examiner: Not Yet Assigned  
Confirmation No.: 6802  
For: MODULATORS OF ATP-BINDING CASSETTE TRANSPORTERS

Cambridge, Massachusetts  
July 22, 2004

MAIL STOP MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER FOR RESPONSE TO THE  
NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

Sir:

Transmitted herewith in response to the Notice to File Missing Parts of Nonprovisional Application – Filing Date Granted, mailed June 1, 2004 in the above-identified application, are the following:

1. Faxcover Sheet to the Patent Office (1 page)
2. Fee Transmittal for FY 2004 (1 page, in duplicate);
3. Notice to File Missing Parts of Nonprovisional Application (2 pages); and
4. Executed Declaration document (5 pages).

Atty. Docket No.: VPI/03-103 US  
U.S.S.N.: 10/800,022  
Applicants: VanGoor, et al.

-2-

Applicants hereby authorize the Commissioner to charge Deposit Account No. 50-0725 in the amount of \$7,490.00 to cover the filing fee and the surcharge (see 37 C.F.R. §1.27 and 37 C.F.R. §1.16(e)).

Applicants believe that no additional fees are due at this time. However, the Commissioner is hereby authorized to charge payment of any additional fees required under 37 C.F.R. §1.16 in connection with the papers transmitted herewith, or credit any overpayment of the same, to Deposit Account No. 50-0725. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,

  
\_\_\_\_\_  
Nandakumar Govindaswamy, Ltd. Recognition  
Attorney for Applicants  
c/o Vertex Pharmaceuticals Incorporated  
130 Waverly Street  
Cambridge, MA 02139-4242  
Tel.: (617) 444-6619  
Fax.: (617) 444-6483



PTO/SB/17 (11-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 7,490.00)

### Complete if Known

Application Number	10/800,022
Filing Date	March 12, 2004
First Named Inventor	Frederick E. Van Goor
Examiner Name	Not Yet Assigned
Group Art Unit	1614
Attorney Docket No.	VPI/03-103 US

### METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  Other  None

Deposit Account

Deposit Account Number 50-0725

Deposit Account Name Vertex Pharmaceuticals

The Commissioner is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments

Charge any additional fee(s) during the pendency of this application

Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1051	130	2051	65
1052	50	2052	25
1053	130	1053	130
1812	2,520	1812	2,520
1804	920*	1804	920*
1805	1,840*	1805	1,840*
1251	110	2251	55
1252	420	2252	210
1253	950	2253	475
1254	1,480	2254	740
1255	2,010	2255	1,005
1401	320	2401	160
1402	320	2402	160
1403	280	2403	140
1451	1,510	1451	1,510
1452	110	2452	55
1453	1,300	2453	650
1501	1,300	2501	650
1502	470	2502	235
1503	630	2503	315
1460	130	1460	130
1807	50	1807	50
1808	180	1806	180
8021	40	8021	40
1809	750	2809	375
1810	750	2810	375
1801	750	2801	375
1802	900	1802	900
Other fee (specify)			
SUBTOTAL (1) (\$ 770.00)		SUBTOTAL (3) (\$ 130.00)	

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

\*\*or number previously paid, if greater; For Reissues, see above

### Complete (if applicable)

Name (Print/Type)	Nandakumar Govindaswamy	Registration No. (Attorney/Agent)	Ltd. Recognition	Telephone	(617) 444-6619
Signature			Date	July 22, 2004	



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/800,022	03/12/2004	Frederick F. VanGoor	VPI/03-103 US

## CONFIRMATION NO. 6802

27916  
 VERTEX PHARMACEUTICALS INC.  
 130 WAVERLY STREET  
 CAMBRIDGE, MA 02139-4242

## FORMALITIES LETTER



"OC000000012828826"

Date Mailed: 06/01/2004



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$6590** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$7490** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$6590**

07/23/2004	CNGUYEN	00000095	500725	770.00	DA
				552.00	DA
				774.00	DA
				130.00	DA
				290.00	DA
01	FC:1001				
02	FC:1202				
03	FC:1201				
04	FC:1051				
05	FC:1203				

- \$774 for 9 independent claims over 3.
- \$5526 for 307 total claims over 20.
- \$290 for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

*farroje Asewt*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE